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July 12, 2022

ONLINE SUBMISSION

Regional Freedom of Information Officer
U.S. EPA, Region 6
1445 Ross Avenue (ORC-DF)
Dallas, TX 75202-2733
(214) 665-7302

Re: Freedom of Information Act Request

Dear Sir/Madam:

Pursuant to the Freedom of Information Act (5 U.S.C. § 552), I am requesting copies of the following records:

1. Any and all documents, including, but not limited to: correspondence and email; notes; memoranda; comments; complaints; reports in draft, preliminary, interim, or final form; Site Investigations; inspections; permits, draft permits and permit applications; emissions sampling or monitoring; notices of violation and other enforcement documentation; work plans, data packages, chromatograms, or other tangible documentation or permanent records that have been prepared, maintained or received by the U.S. Environmental Protection Agency's ("**EPA**") Region 6 concerning:
 - a. The facility located at 2400 Airport Road, Santa Teresa, New Mexico 88008 ("the **Facility**"), presently operated by Sterigenics U.S., LLC ("**Sterigenics**").
 - b. Sterigenics; Griffith Micro Science; IBA S&I, Inc.; Ion Beam Applications; Sterigenics EO, Inc.; and SteriGenics International, Inc..
 - c. The use, emission, storage, management, handling or health effects of ethylene oxide or any of its byproducts, including ethylene glycol, at the Facility.

- d. Ethylene oxide sources, emissions, and levels in or around Doña Ana County, New Mexico since 2012.
 - e. The monitoring of ethylene oxide concentrations in air in Doña Ana County, New Mexico since 2012.
 - f. The sampling of ambient air for ethylene oxide in Doña Ana County, New Mexico since 2012.
- 2. All communications U.S. EPA Region 6 has had with (i) the New Mexico Environment Department; (ii) the New Mexico Human Services Department; (iii) the government of Doña Ana County, New Mexico; or (iv) the Office of the New Mexico Attorney General concerning, from 2012 to present:
 - a. the Facility;
 - b. Sterigenics; and/or
 - c. ethylene oxide.
- 3. Any and all documents, including, but not limited to: correspondence and email; notes; memoranda; comments; complaints; reports in draft, preliminary, interim, or final form; emissions sampling or monitoring; work plans, data packages, chromatograms; or other tangible documentation or permanent records that have been prepared, maintained or received by U.S. EPA Region 6 concerning:
 - a. The purpose and appropriate use of the 2014 National Air Toxics Assessment (“NATA”) (e.g., as a screening tool).
 - b. Purposes for which NATA should not be used.
 - c. The reasons why NATA should not be used for any of the following purposes:
 - i. to pinpoint risk or exposure values at a specific place (like a home or school);
 - ii. to characterize or compare risks or exposures at local levels (such as between neighborhoods);
 - iii. to characterize or compare risks or exposures between states;
 - iv. to examine trends from one NATA year to another;
 - v. as the sole basis for risk reduction plans or regulations;

- vi. to control specific sources or pollutants; or
 - vii. to quantify benefits of reduced air toxics emissions.
 - d. NATA's use of the EPA's 2016 risk value for ethylene oxide in the U.S. EPA's Integrated Risk Information System.
 - e. NATA as related to the Facility or Sterigenics.
 - f. The creation of, use of and information in the EPA document titled, "2014 NATA Emissions Updates (as of July 28, 2020)" as related to the Facility or Sterigenics.
 - g. The creation of, use of and information in the EPA document titled, "Ethylene Oxide: Technical Reviews and Outreach to Potentially Affected Communities Status Report for Sterigenics – Santa Teresa, NM".
 - h. The creation of, use of and information in the EPA document titled, EPA Response to Management Alert: Prompt Action Needed to Inform Residents Living Near Ethylene Oxide-Emitting Facilities About Health Concerns and Actions to Address Those Concerns Report No. 20-N-0128".
4. Any and all documents, including, but not limited to: correspondence and email; notes; memoranda; comments; complaints; reports in draft, preliminary, interim, or final form; emissions sampling or monitoring; work plans, data packages, chromatograms; or other tangible documentation or permanent records that have been prepared, maintained or received by U.S. EPA Region 6 concerning:
- a. The creation, purpose, meaning, methodology, validity and use of the carcinogenicity and risk value determinations for ethylene oxide in the EPA, National Center for Environmental Assessment, Evaluation of the Inhalation Carcinogenicity of Ethylene Oxide, EPA/635/R-16/350Fa (December 2016), available at https://cfpub.epa.gov/ncea/iris2/chemicalLanding.cfm?substance_nmbr=1025.
 - b. Criticisms of, questions about or doubts about the carcinogenicity and risk value determinations for ethylene oxide in the EPA, National Center for Environmental Assessment, Evaluation of the Inhalation Carcinogenicity of Ethylene Oxide, EPA/635/R-16/350Fa (December 2016), available at https://cfpub.epa.gov/ncea/iris2/chemicalLanding.cfm?substance_nmbr=1025.

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5. Any and all documents, including, but not limited to: correspondence and email; notes; memoranda; comments; complaints; reports in draft, preliminary, interim, or final form; Site Investigations; inspections; permits, draft permits and permit applications; emissions sampling or monitoring; notices of violation and other enforcement documentation; work plans, data packages, chromatograms, or other tangible documentation or permanent records that have been prepared, maintained or received by U.S. EPA Region 6 concerning
 - a. The lawsuit and claims asserted by the New Mexico Attorney General against Sterigenics, identified as *The State of New Mexico, ex rel. Hector Balderas, Attorney General v. Sterigenics U.S., LLC, Sotera Health Holdings, LLC, Sotera Health LLC, and Sotera Health Company*, No. D-307-CV-2020-02629, Doña Ana County, New Mexico, Third Judicial District Court.

I authorize EPA to spend up to \$1000 to provide the requested documents. Please contact me if fees will exceed this sum. I would prefer to receive all responsive documents as PDFs on a CD. To the extent anything is withheld, please provide a list identifying those materials.

Sincerely,

/s/Ronnie A. Gosselin

Ronnie A. Gosselin